



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY

PRISON

OFFENDER/SPANISH MANUALS

REVISION DATE

3/5/08

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1 of 10

NUMBER

DOC 440.000

POLICY

TITLE

PERSONAL PROPERTY FOR OFFENDERS

REVIEW/REVISION HISTORY:

Effective: 9/29/95
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Revised: 3/5/08

SUMMARY OF REVISION/REVIEW:

IV.A.9. - Added cassette/CD player
XI.E. - Removed information already covered in DOC 420.375
XI.F. - Included information from DOC 440.100 Disposition of Property of Deceased Offenders, and will rescind that policy
Form updates
Several changes to matrixes


APPROVED:

Signature on File

ELDON VAIL, Secretary
Department of Corrections

1/30/08

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; RCW 11.04.015; RCW 11.08; RCW 11.62.005; RCW 63.42; RCW 72.02.045; WAC 137-36-040; ACA 4-4164; ACA 4-4292; ACA 4-4293; ACA 4-4294; ACA 4-4339; DOC 320.255 IMU/ITU/ Segregation/Mental Health Segregation Operations; DOC 420.375 Contraband and Evidence Handling; DOC 440.020 Transport of Offender Property; DOC 450.100 Mail for Offenders; DOC 540.105 Recreation Program for Offenders; DOC 560.210 Religious Freedom for Offenders; DOC 590.500 Legal Access for Offenders

POLICY:

- I. Retention of personal property by offenders will follow Department guidelines to meet safety, security, discipline, sanitation, accountability, and storage needs. [4-4164] [4-4292] [4-4294]
- II. All property authorized by this policy will be retained at the offender's risk.

DIRECTIVE:

- I. Allowable Property
 - A. The Maximum Allowable Personal Property Matrixes (Attachments 1 and 2) identify the types, value, and amount of personal property authorized for offender retention at the different security levels in Prison facilities. [4-4293]
 1. Offenders are responsible for ensuring that the value of the property in their possession is no greater than the dollar values identified on Maximum Allowable Personal Property Matrixes (Attachments 1 and 2).
 2. The dollar values identified on Maximum Allowable Personal Property Matrixes (Attachments 1 and 2) specify the maximum amount that an offender will be reimbursed for the item if it is determined, through the tort claim process, that the item has been lost or damaged due to staff negligence.
 - B. Offenders with less restrictive custody than the security level of the facility in which they are housed must comply with the property matrix for that facility's security level.
 1. A temporary segregation placement will not result in an offender having to comply with more restrictive property allowances. Property will be inventoried and stored until the placement decision is made.
 - C. Offenders may acquire personal property only through the following sources:

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1. Facility offender stores,
2. Approved vendors,
3. Quarterly packages,
4. Education or religious programs, and/or
5. Hobby craft items made by the offender and authorized for retention at the facility.

D. The facility will provide for the thorough cleaning and, when necessary, disinfecting of offender personal clothing before storage or before allowing the offender to keep and wear personal clothing. [4-4339]

1. No dry-clean items will be allowed.
2. The Department may provide washing machines, but offenders are required to provide all supplies for the cleaning and maintenance of their personal clothing.

II. Exceptions

A. Superintendents will not allow more or less property or substitute items unless they receive prior written approval through the chain of command from the Prisons Deputy Secretary/designee.

III. Washington Corrections Center (WCC) or Washington Corrections Center for Women (WCCW) Reception Diagnostic Centers


A. Newly received offenders at WCC or WCCW will receive a copy of the Maximum Allowable Personal Property Matrixes (Attachments 1 and 2) during orientation and will sign DOC 21-992 New Offender Orientation Checklist, acknowledging receipt and agreeing that personal property they receive will not exceed the value limits identified.

B. Newly received offenders will sign DOC 21-139 Property Disposition to identify the name and address of the person to whom unauthorized property currently in their possession should be sent.

1. Persons designated to receive property cannot be presently incarcerated.
2. The offender may determine the disposition of property (e.g., donate to charity or discard) if s/he is not able to identify a person to whom the property should be sent.


C. Funds arriving with offenders will be placed in the offender's account.

D. Offenders may not possess appliances while at the Reception Diagnostic Center.

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IV. General Housing Units

- A. The following additional items are authorized in general population at close, medium, or minimum facilities:
 1. Books, periodicals, and publications must be stored in a space not to exceed a 2,160 cubic inch capacity (e.g., a carton 18"x12"x10"). These items must be kept in the designated area identified by the facility except when they are currently being used.
 - a. Publications must comply with the requirements of DOC 450.100 Mail for Offenders.
 2. Legal materials will be authorized per DOC 590.500 Legal Access for Offenders. The materials will be stored in the cell and should not exceed what can be contained in a 12"x10"x18" box.
 3. Unframed personal/family photographs, personal mail, journals or diaries, writing pads, pencils, pens, and personal papers in an amount not to exceed what can be contained in a 432 cubic inch box (e.g., 6"x 6"x12").
 4. Personal religious items, per DOC 560.210 Religious Freedom for Offenders.
 5. Toothbrushes, shaving cream, safety razors, and other personal hygiene items authorized for sale in the facility store in an amount not to exceed what can be contained in a 432 cubic inch box (e.g., 6"x6"x12").
 6. Musical instruments may be retained in compliance with the Maximum Allowable Personal Property Matrixes (Attachments 1 and 2) and DOC 540.105 Recreation Program for Offenders. Upon receipt of a musical instrument, and after each transfer, an offender will complete DOC 06-075 Offender Request to Transfer Funds for \$15.00 to cover the shipping charges for the instrument.
 7. Completed hobby craft items, as determined by recreation staff, will be mailed out of the facility at the offender's expense. However, completed items that are allowed by the Maximum Allowable Personal Property Matrixes (Attachments 1 and 2) may be put on an offender's property inventory. Offenders are responsible for disposing of hobby craft items not included on DOC 05-062 Record of Offender Property at their own expense prior to departing a facility.

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- a. When offenders order hazardous chemicals or hazardous materials, they will request the Material Safety Data Sheet (MSDS) for the product(s). When offenders transfer, chemicals/materials will not be shipped or mailed out of the facility. The products must be disposed of per Environmental Protection Agency regulations at the offender's expense.
8. Upon purchase of a television, and after each transfer, offenders will complete DOC 06-075 Offender Request to Transfer Funds for \$15.00 to cover the shipping charges for the television. In cases where a television is shipped and the actual shipping cost exceeds the amount reserved, the difference will be treated as a debt the offender must pay.
 - a. The offender is responsible for any expense for disposal of his/her television.
9. Upon purchase of a radio/stereo/cassette/CD player or typewriter, offenders will complete DOC 06-075 Offender Request to Transfer Funds for \$15.00 to cover the shipping charges for the item.

V. Special Housing Units

- A. Facilities will develop written procedures governing personal property to address the needs of special housing units. The Superintendent may suspend, reduce, or eliminate personal property in these units to:
 1. Ensure the health and/or safety of staff and offenders.
 2. Facilitate medical or mental health treatment objectives, and/or
 3. Maintain order and security.
- B. DOC 320.255 IMU/ITU/Segregation/Mental Health Segregation Operations will govern personal property in Intensive Management Units (IMU). Offenders' excess personal property not authorized in IMU will be stored by the facility.

VI. Unauthorized Property

- A. Negotiable instruments are not authorized.
- B. The following types of clothing are prohibited:
 1. Black, burgundy, dark green, navy blue, red, and dark colored, with the exception of black shoes and black belts.
 2. Camouflage or clothing that resembles the color or style of custody staff uniforms, including coveralls and jumpsuits.

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3. Hooded clothing and ski masks.
 4. Patches, writing, and graphics which are sewn, glued, stitched, or appliquéd onto material in a design that is not part of the material, except logos associated with the brand name of the manufacturer if no larger than 4 square inches.
 5. Leather garments, including gloves.
- C. Headquarters will provide a color chart to be used for consistency in determining unauthorized colors. Only the original chart may be used; copies may not be made. Replacements must be obtained from Headquarters.
 - D. Pagers, cellular phones, watches that receive text messages, and other such devices will be disposed of as contraband.

VII. Restriction of Incoming and Outgoing Personal Property

- A. If any portion of an offender's incoming or outgoing personal property is restricted, property staff will provide written notification to the offender using DOC 21-139 Property Disposition.
- B. Each facility will develop an internal appeal process. The Superintendent/designee will make the final decision.

VIII. Property Inventory

- A. All personal property retained by an offender will be itemized and recorded on DOC 05-062 Record of Offender Property or local computer version. [4-4294] Items will be marked with the offender's number for identification. Items which cannot be marked (e.g., glasses) must be thoroughly described and identified as unmarked on DOC 05-062 Record of Offender Property.
 1. Offenders should not be authorized to handle the property of other offenders, and will not process personal property of other offenders. However, offenders may be authorized to launder other offenders' personal clothing under direct staff supervision.
 2. Any inventory of personal property will be completed in the presence of the offender, when possible.
 - a. All items will be listed using accurate, descriptive information, including:
 - 1) Size,

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- 2) Color,
- 3) Make or brand,
- 4) Serial or identification number, and
- 5) The condition of the item.

- b. Additions or deletions on DOC 05-062 Record of Offender Property or computer printed form will be made by staff.
- c. The offender will be responsible to ensure his/her DOC 05-062 Record of Offender Property remains accurate and current.


3. The offender will be permitted to review the completed DOC 05-062 Record of Offender Property before signing. The designated staff will witness the signature.

- B. Offender personal property will be inventoried and secured as appropriate in the event of escape, death, or an anticipated extended absence of the offender.

1. The property will be boxed, taped, and placed in a secured area. Large items that cannot be boxed will be tagged.
2. Staff will handle offender property with care to avoid damage, destruction, or misrouting.
3. The staff conducting the inventory will sign and date DOC 05-062 Record of Offender Property. A copy of the form will be given to the offender or, in the case of death, the person designated to receive the property, as soon as possible.

IX. Property Transfer

- A. All offender personal property will be inventoried and secured prior to transfer. Only authorized property will be transported/mailed/shipped to other Department facilities.
- B. The Department will transport a limited amount of offender property per DOC 440.020 Transport of Offender Property. Offenders accumulating more than the amount of property the Department will transport will do so at their own risk. The Department assumes no responsibility in transporting such excess property.
- C. Offenders transferred from one facility to another will arrange for the shipping of their excess authorized personal property, at their own expense, prior to leaving the sending facility. The offender will have 90 days from the date of transfer to

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arrange for shipping of such property. Failure to comply will result in the property being declared abandoned and disposed of per this policy.


- D. All offender personal property secured for transport, regardless of carrier, may not exceed 25 pounds per box.

X. Property Storage

- A. Offenders will store personal property per facility requirements.
- B. Facilities will only store offender personal property when:
 - 1. Offenders are placed in segregation, the hospital, out to court, or other situations where they temporarily lose control of their personal property.
 - 2. Offender personal legal documents exceed the amount allowed to be stored by the offender.

XI. Disposition Options

- A. Offenders may dispose of their own excess or unauthorized personal property by shipping it, at their own expense, to a non-incarcerated person designated by the offender on DOC 21-139 Property Disposition. Offenders will have 30 days to dispose of the property identified as excess or unauthorized.
 - 1. If the offender is without funds, refuses to pay the required postage, or refuses to designate an individual to receive the property, such items will be:
 - a. Donated to a charitable organization per WAC 137-36-040, or
 - b. Destroyed by staff per DOC 420.375 Contraband and Evidence Handling.
- B. Any items found in the offender's possession that are not listed on the property record, have distorted or altered markings, or are substantially modified from the manufacturer's original configurations will be considered contraband and disposed of per DOC 420.375 Contraband and Evidence Handling.
- C. Currency, personal checks, credit cards and money orders are considered negotiable instruments and are contraband within adult correctional facilities. If found in the unauthorized possession of an offender, an infraction will be initiated and the money or negotiable instrument confiscated immediately and deposited in the Offender Welfare Betterment Fund.

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1. The offender will be advised, in writing, of his/her right to seek review of the decision to place the money in the Offender Welfare Betterment Fund. The request for review must be made, in writing, to the Superintendent within 10 calendar days. If the offender chooses to seek review of the Superintendent's decision, s/he should send a request for review to the Prisons Administrator/designee(s) within 10 calendar days.
- D. All illegal items owned by and/or found in the possession of an offender will be confiscated. Such items will be held as evidence for law enforcement authorities. Illegal items that do not need to be retained as evidence will be destroyed per DOC 420.375 Contraband and Evidence Handling.
- E. Abandoned personal property, with the exception of excess authorized personal property as described above, will be disposed of per WAC 137-36-040.
- F. Property of deceased offenders not disposed of as abandoned per WAC 137-36-040 will be disposed of per RCW 11.08.
 1. Any person claiming to be a successor, as defined in RCW 11.62.005, must submit DOC 05-698 Affidavit for Disposition of Personal Property and provide proof of qualification before the Superintendent may transfer property.
 - a. Offenders may not receive a deceased offender's property by Will.
 2. A copy of the affidavit will be mailed, along with the deceased offender's social security number, to the Washington State Department of Social and Health Services (DSHS), Office of Financial Recovery.


XII. Restrictions

- A. Offenders may not trade, sell, buy, barter, loan, or give away any personal property to another offender, another offender's family and/or friends, or staff.

XIII. Return of Personal Property upon Release

- A. Upon formal release from a Department facility, an offender's personal property in the custody of the facility will be returned to him/her.
- B. The offender must sign DOC 05-062 Record of Offender Property acknowledging return of all personal property upon release. The original form will be placed in the offender's file.

XIV. Compliance Audits

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- A. Each facility will establish written procedures to ensure each offender's property is inventoried at least once during each year. Excess or unauthorized property will be disposed of per this policy.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Contraband, Illegal Items, Offender's Expense. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

Maximum Allowable Personal Property Matrix - Men's Facilities (Attachment 1) [4-4293]
 Maximum Allowable Personal Property Matrix - Women's Facilities (Attachment 2) [4-4293]

DOC FORMS:

DOC 05-062 Record of Offender Property [4-4294]
 DOC 05-698 Affidavit for Disposition of Personal Property
 DOC 06-075 Offender Request to Transfer Funds
 DOC 21-139 Property Disposition
 DOC 21-992 New Offender Orientation Checklist